

3. (Amended) The isolated nucleic acid of Claim 1 which comprises the nucleotides of SEQ ID NO:11.

7. (Amended) A recombinant DNA comprising the isolated nucleic acid of any one of Claims 1 to [6] 3 operably linked to regulatory control [nucleic acid] sequences which can effect expression of said nucleic acid [sequence] in a host cell.

11. (Amended) A method of producing a recombinant wth3 protein [or immunogenic fragment thereof], which process comprises:

- a) culturing the host cell of Claim 9 in a culture medium under conditions suitable for expression of the wth3 protein [or immunogenic fragment thereof] in said host cell, and
- b) recovering said recombinant protein [or immunogenic fragment thereof] from said host cell or said culture medium.

12. (Amended) A wth3 protein [or immunogenic fragment thereof] prepared by the method of Claim 11.

#### **REMARKS**

Claims 1-80 are pending. Claims 1-4, 7-12, 18-20, 30, 34-36, 41, 55-57, 62 and 70 were examined. In response, Applicant has cancelled Claims 4-6, 13-69 and 71-80, including claims previously withdrawn. Applicants reserve the right to submit the subject matter contained in the claims that have been cancelled without prejudice at a later date or in a future division or continuation application. Claims 1-3, 7-12, and 70 remain pending.

Claims 1-3, which were previously allowed, have been amended to remove any ambiguity as to antecedent basis. The amendments are not meant to alter the scope of the claims.

Claims 7-12 are believed to have been rejected on the basis of dependency on Claim 4, and should now be allowable in view of the amendments to Claims 7, 11 and 12.

**Conclusion**

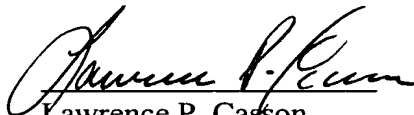
In view of the foregoing amendments, it is believed that the present application is in a condition for allowance. The Examiner is requested to contact the undersigned to reconcile any outstanding issues that might remain.

Respectfully Submitted,

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